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U.S. DISTRICT COURT

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

MICHAEL COTA

(Full Name)

PLAINTIFF

vs.

COPPER HILLS YOUTH CENTER

BRETT MARSHALL M.D.

DAVID H GAMBLES Ph.D.

DEFENDANTS

CIVIL RIGHTS COMPLAINT

(42 U.S.C §1983, §1985)

Case: 2:22-cv-00187

Assigned To : Nielson, Howard C., Jr

Assign. Date : 3/21/2022

Description: Cota v Copper Hills
Youth Center et al

A. JURISDICTION

1. Jurisdiction is proper in this court according to:

- a. ☒ 42 U.S.C. §1983
b. ☐ 42 U.S.C. §1985
c. ☐ Other (Please Specify) _____

2. NAME OF PLAINTIFF MICHAEL COTA
IS A CITIZEN OF THE STATE OF NEVADA

PRESENT MAILING ADDRESS: P.O. Box 1989

ELY NV 89301

3. NAME OF FIRST DEFENDANT COPPER HILLS Youth Center
IS A CITIZEN OF COPPER HILLS, UTAH
(City and State)

IS EMPLOYED AS Youth Center at Copper Hills
(Position and Title if Any) (Organization)

Was the defendant acting under the authority or color of state law at the time these claims occurred?

YES ☒ NO ☐. If your answer is "YES" briefly explain.

I WAS LEGALLY COMMITTED INTO THEIR CUSTODY BY
THE DOUGLAS COUNTY NEVADA JUVENILE COURT

4. NAME OF SECOND DEFENDANT BRETT MARSHALL
(If applicable)

IS A CITIZEN OF COPPER HILLS ~~NEVADA~~ UTAH
(City and State)

IS EMPLOYED AS MEDICAL DOCTOR at COPPER HILLS Youth Center
(Position and Title if Any) (Organization)

Was the defendant acting under the authority or color of state law at the time these claims occurred?

YES ☒ NO ☐. If your answer is "YES" briefly explain.

THIS MAN DECIDED ON MEDICATION WHICH I HAD NO
CHOICE IN TAKING AS COPPER HILLS Youth Center
HAD LEGAL CUSTODY OF ME.

5. NAME OF THIRD DEFENDANT DAVID H. GAMBLES
(If applicable)

IS A CITIZEN OF COPPER HILLS UTAH
(City and State)

IS EMPLOYED AS Ph.D. Psychologist at Copper Hills Youth Center
(Position and Title if Any) (Organization)

Was the defendant acting under the authority or color of state law at the time these claims occurred?

YES X NO ____ If your answer is "YES" briefly explain.

HE WAS DIRECTLY INVOLVED IN MY TREATMENT PLAN
AT COPPER HILLS YOUTH CENTER

6. NAME OF FOURTH DEFENDANT _____
(If applicable)

IS A CITIZEN OF _____
(city and State)

IS EMPLOYED AS _____ at _____
(Position and Title if Any) (Organization)

Was the defendant acting under the authority or color of state law at the time these claims occurred?

YES ____ NO ____ If your answer is "YES" briefly explain.

(Use additional sheets of paper if necessary.)

B. NATURE OF CASE

1. Why are you bringing this case to court? Please explain the circumstances that led to the problem.

I AM BRINGING THIS ACTION BECAUSE MY 8TH AMENDMENT
RIGHTS WERE VIOLATED BY EACH DEFENDANT. ALL DEFENDANTS
ACTED IN A TOTALLY WRECKLESS MANNER.

B. NATURE OF THE CASE

Briefly state, in numbered paragraphs, the background facts of your case (you may attach additional pages, in necessary) :

THIS IS A CASE OF MEDICAL NEGLIGENCE, AND ABUSE, WANTON ENDANGERMENT, AND MEDICAL MALPRACTICE AND POSSIBLY ASSAULT BY ILLEGAL MEDICATION. MR COTA WAS 13 YEARS OF AGE WHEN HE WAS SENT TO COPPER HILLS. HE REMAINED THERE FOR 19 MONTHS. WHILE THERE HE WAS UNDER THE TREATMENT AND CARE OF DEFENDANTS TWO AND THREE. DEFENDANT TWO IS A MEDICAL DOCTOR AND WAS DIRECTLY RESPONSIBLE FOR PRESCRIBING THE MEDICATIONS, SOME ILLEGAL, TO MR COTA. WE SHALL LIST THESE MEDICATIONS UNDER COUNT ONE. DEFENDANT TWO IS A PH.D. PSYCHOLOGIST WHO AUTHORED EXHIBIT ONE. WE SHALL PROVE THAT DEFENDANTS ONE AND TWO ENDANGERED THE LIFE OF MR COTA AND WE SHALL PROVE THAT DEFENDANT ONE KNEW OR SHOULD HAVE KNOWN OF THE MEDICAL ABUSE AND ENDANGERMENT BEING FACILITATED IN THEIR FACILITY.

C. CAUSE OF ACTION

1. I allege that my constitutional rights, privileges or immunities have been violated and that the following facts form the basis for my allegations: (If necessary you may attach additional pages)

a. (1) Count I: MR COTAS RIGHT TO EQUAL PROTECTION

- (2) Supporting Facts: (Describe exactly what each defendant did or did not do. State the facts clearly in your own words without citing legal authority or arguments.)

DEFENDANT ONE WAS IN CHARGE OF MR COTA BY
LEGAL COMMITMENT. They FAILED TO PROTECT MR COTA FROM
THEIR EMPLOYEES. DEFENDANTS TWO AND THREE
ENGAGED IN DANGEROUS BEHAVIOR LABELING MR
COTA AS A SEXUAL DEVIENT WITHOUT ANY TYPE
OF COLABERATING EVIDENCE (SEE CONTINUATION)

b. (1) Count II: MR COTAS RIGHT AGAINST CRUEL AND
UNUSUAL PUNISHMENT

(2) Supporting Facts: WE REFER THE COURT TO EXHIBIT
TWO. THIS IS A DISCHARGE SUMMARY. ON Page 8, IT IS
SIGNED BY DEFENDANT THREE. ON Page 4, LAST PARAGRAPH
IT STATES "MICHAEL IS AT MODERATE-HIGH RISK FOR SEXUAL
RECIDIVISM AND IS CAPABLE OF PLANNED OFFENSES"
(SEE CONTINUATION)

c. (1) Count III: NONE

COUNT ONE CONT

The following civil rights have been violated:

MR COTAS RIGHT TO EQUAL PROTECTION UNDER THE LAW

Supporting Facts (Include all facts you consider

important. State the facts clearly, in your own words, and without citing legal authority or argument. Be sure you describe exactly what each specific defendant (by name) did to violate your rights):

DEFENDANT THREE IS THE AUTHOR OF EXHIBIT ONE. THIS REPORT VIOLATES MR COTAS RIGHTS IN THAT IT IS SPECULATIVE AT BEST, RELYING ON INFORMATION OBTAINED FROM THIRD PARTIES. DEFENDANT TWO BRANDED MR COTA AT 13 YEARS OLD A SEXUAL DEVIANT WITHOUT ANY DIRECT KNOWLEDGE. WE REFER TO EXHIBIT ONE PAGE ONE TO ESTABLISH DEFENDANT THREES POSITION OF POWER. EXHIBIT ONE PAGE TWO UNDER BACKGROUND INFORMATION IT CLEARLY STATES THAT MR COTA WAS ADMITTED FOR SEXUAL MISCONDUCT AND WAS BEING TREATED FOR SEXUAL MISCONDUCT. WE REFER THE COURT TO Pg 5 UNDER SEXUAL RISK PROTOCOL. WE SUBMIT THAT THE J-SOAP II ASSESMENT WAS IMPROPER AS MR COTA HAD NO SEXUAL ADJUDICATED OFFENSES OR COERCIVE SEXUAL BEHAVIOR. WE REFER TO Page 7 LAST PARAGRAPH WHERE THE DEFENDANT ACTUALLY STATES THAT A 14 YEAR OLD CHILD HAS A 76% CHANCE OF COMMITTING ANOTHER SEXUAL OFFENSE WITHIN 10 YEARS. THIS IS FLAWED IN THAT THIS CHILD HAD NEVER COMMITTED ONE.

(Additional pages, if needed; identify what is being continued.)

COUNT TWO CONTINUED

TO LABEL A 13 YEAR OLD CHILD AS A SEXUAL DEVIENT WHO IS CAPABLE OF PLANNED OFFENSES AND A HIGH RISK OF RECIDIVISM IS HORRID IN ANY CASE BUT MR COTA HAS NEVER AS A JUVENILE BEEN CHARGED WITH NOR INVESTIGATED FOR A SEXUAL CRIME. IN ORDER FOR RECIDIVISM TO OCCUR THERE MUST HAVE BEEN A FIRST OFFENSE, THERE WAS NOT. THIS RECORD STAYS WITH MR COTA HIS HOLE LIFE AND WAS IN FACT BROUGHT UP IN 2018 IN ADULT COURT. WE NOW REFER TO EXHIBIT TWO pg 5 SHOWING A TREATMENT GOAL IS WORKING ON SEXUAL MISCONDUCT. THERE WAS NEVER AND TO THIS DATE HAS NEVER BEEN ANY TYPE OF SEXUAL MISCONDUCT. WE NOW REFER TO EXHIBIT TWO pg 6 UNDER RECOMMENDATIONS. IT IS STATED MR COTA NEEDS SEXUAL MISCONDUCT-SPECIFIC PSYCHOTHERAPY, IT STATES HE IS AT HIGH RISK OF re-offense AND HAS SEXUAL ACTING OUT ISSUES. ALL OF THESE STATEMENTS ARE LIBALAS AND ARE NOT IN ANY WAY BASED UPON FACTS. WE NOW REFER TO pg 7 and 8 WHICH WAS COMPLETED BY DEFENDANT BRETT MARSHALL MD. THIS IS THE MEDICATION MR COTA WAS ON AT ADMISSION WHILE pg 8 SHOWS DISCHARGE MEDS. PLEASE NOTE CLONIDINE 0.1mg 4 TIMES A DAY. THIS MEDICATION IS NOT APPROVED BY FDA FOR A 13 YEAR OLD AND CAUSES SEXUAL MISFUNCTION

(2) Supporting Facts: _____

D. INJURY

1. How have you been injured by the actions of the defendant(s)?

MRCOTA NOW HAS A RECORD IN THE LEGAL SYSTEM
THAT HE IS A SEXUAL DEVIENT, HAS BEEN CHARGED AND
COMMITTED FOR THESE ACTS WHEN NONE OF IT IS TRUE
THE EXTREME MEDICATION HE WAS GIVEN COULD EASILY
HAVE LONG TERM EFFECTS. THE ISSUE IS THE ENTIRE
PROCESS WAS BASED ON A LIE

E. PREVIOUS LAWSUITS AND ADMINISTRATIVE RELIEF

1. Have you filed other lawsuits in state or federal court that deal with the same facts that are involved in this action or otherwise relate to the conditions of your imprisonment?
YES X / NO _____. If your answer is "YES," describe each lawsuit. (If there is more than one lawsuit, describe additional lawsuits on additional separate pages, using the same outline.)

a. Parties to previous lawsuit:

Plaintiff(s): MICHAEL COTA

Defendant(s): Copper Hills Youth Center

b. Name of court and case or docket number: U.S. DISTRICT COURT NEVADA
CASE: 3:21-CV-00385-MMD-W6C

- c. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?) _____
- d. Issues raised: IT WAS DISMISSED DUE TO WRONG
JURISDICTION. COURT STATED IT MUST BE FILED
IN UTAH
- e. When did you file the lawsuit? 27 8 21
Date Month Year
- f. When was it (will it be) decided? 8/27/21
2. Have you previously sought informal or formal relief from the appropriate administrative officials regarding the acts complained of in Part C? YES ___ / NO X. If your answer is "YES" briefly describe how relief was sought and the results. If your answer is "NO" explain why administrative relief was not sought.

NO ADMINISTRATIVE RELIEF AVAILABLE

F. REQUEST FOR RELIEF

1. I believe that I am entitled to the following relief:

\$17,000,000⁰⁰ PER DEFENDANT

DECLARATION UNDER PENALTY OF PERJURY

The undersigned declares under penalty of perjury that he/she is the plaintiff in the above action, that he/she has read the above complaint, and that the information contained therein is true and correct. 28 U.S.C. §1746; 18 U.S.C §1621.

Executed at ELY, NV on 3-14 2022
(Location) (Date)


Signature